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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

C.R. No. 483 of 2007.
Date of Decision : January 29, 2007

Mehar Singh

... Petitioner.

Versus

Pritpal Singh and another .. Respondents

CORAM : Hon`ble Mr. Justice Pritam Pal.

Present : Shri R.S.Minhas, Advocate,
for the petitioner.

PRITAM PAL , J. (Oral)

This revision petition, under Article 227 of the Constitution of India, has been filed by petitioner - Mehar Singh, against order dated 23.11.2006 (*Annexure P/4*), whereby, his application moved under Order 1 Rule 10 of the Code of Civil Procedure, for being impleaded as defendant, has been dismissed.

During the course of arguments, it has transpired that the petitioner has also filed a suit for specific performance against Amar Singh, respondent No.2 herein, on the basis of agreement dated 29.6.2000. It is also to add here that Pritpal Singh, respondent No.1, has also filed a suit for specific performance on the basis of an agreement dated 3.7.2000

against the aforesaid Amar Singh and both the suits pertain to one and the same land, owned and possessed by Amar Singh. Both these suits are stated to be pending before different Courts under the Sessions Division of Kapurthala.

In these given facts, the learned trial court has not committed any illegality or irregularity in dismissing the application of the petitioner for being impleaded as defendant in the suit, filed by respondent No.1 against Amar Singh, respondent No.2.

Hence, this revision petition is dismissed.

Before parting with this order, however, it is observed that the petitioner will be at liberty to move an appropriate application before the District Judge, Kapurthala, for clubbing both the aforesaid suits for being disposed of by one and the same court, as per law.

[PRITAM PAL]
JUDGE

January 29, 2007.
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